REMARKS:

The Office action mailed January 17, 2007 has been received and carefully considered. Reconsideration of the application in view of the following is respectfully requested.

The specification was objected to with respect to the section on Cross-Reference to Related Applications. The missing patent number, which has issued since filing, has been inserted.

Claim 3 was rejected as indefinite. Claim 3 has been amended and is now urged to be definite for purposes of patentability.

Claims 1 to 20 were rejected as obvious in view of a combination of Shafer and Jackson.

While the Shafer document does show an arm of a bone screw with multiple flange shaped structures on the arm, independent Claims 1 and 9 are directed to a cylindrical closure with a guide and advancement flange extending helically about an outer cylindrical structure. Shafer does not show such a closure.

More importantly, Shafer does not teach that the flange structure is helically wound. There have been prior art projections in the bone screw art where the mating parts are simply aligned with one another and twisted ninety degrees or some corresponding angle to screw one part into a receiver structure and thereby lock the two together (for example, see

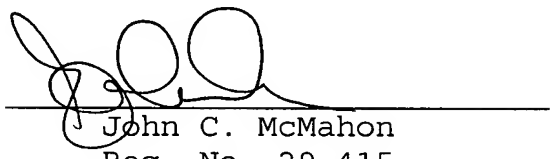
is noted that it is not readily apparent to those having skill in the art at the time from which the Jackson application takes priority that it would be possible to form a helical wound flange form in a small structure such as a bone screw or that the mating pieces could be rotated together without binding and locking up. Consequently, without additional disclosure, Shafer would be seen to teach a twist screw in and lock type structure. In particular, since the Shafer structure does not show a helical wound structure on a cylinder closure, there is no teaching in Shafer of such. As Fig. 2 of Shafer is a perspective view it is difficult to determine if it has a pitch of any kind (which it could for locking only), but comparing the flange shaped openings in comparative spacing from the edge of the seat, indicates that there is no conventional thread positive pitch present on the flanks of the structure. Consequently, it is urged that Shafer fails to teach or suggest this structure as called for in all of applicant's claims.

It is also noted that Claim 9 calls for the flange on the closure to be substantially continuous about the outer cylindrical surface. Shafer does not show a closure and the flange on the only shown arm is clearly discontinuous, so this feature is also urged to not be shown or suggested in Shafer.

In view of the above, it is urged that Claims 1 to 20 distinguished over the art of record and notice to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned by telephone, if prosecution of this application can be expedited thereby.

Respectfully Submitted,



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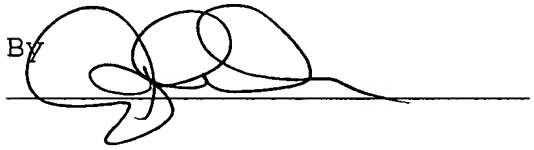
April 17, 2007.

Roger P. Jackson
(Applicant)

By



April 17, 2007
(Date of Signature)